

ENROLLED ORDINANCE 171-45

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 19, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE B-2 LOCAL BUSINESS DISTRICT TO THE B-3 GENERAL BUSINESS DISTRICT (ZT-1840)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Lisbon Town Board on July 25, 2016, and


WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.62, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to rezone from the B-2 Local Business District to the B-3 General Business District, certain lands located in part of the SW ¼ of Section 19, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, and more specifically described in the “Staff Report and Recommendation” and map on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference ZT-1840, is hereby approved.

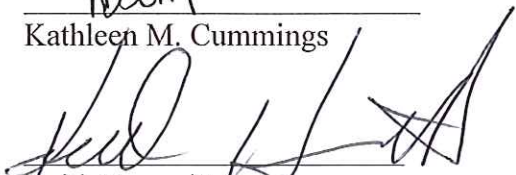
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

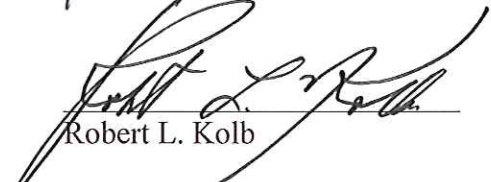
AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE
BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 19,
T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN,
FROM THE B-2 LOCAL BUSINESS DISTRICT TO THE
B-3 GENERAL BUSINESS DISTRICT (ZT-1840)


Presented by:
Land Use, Parks, and Environment Committee


David D. Zimmermann, Chair

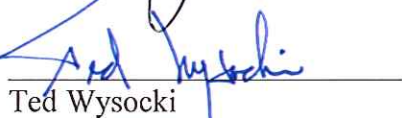
~~ABSENT~~
Kathleen M. Cummings


Keith Hammitt


Robert L. Kolb


William Mitchell


Thomas J. Schellinger


Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 10/25/16, 
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

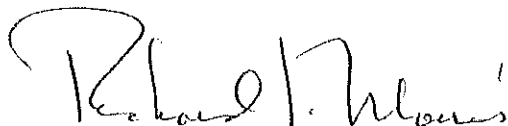
Date: 10/31/16, 
Paul Farrow, County Executive

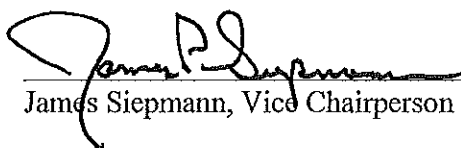
COMMISSION ACTION

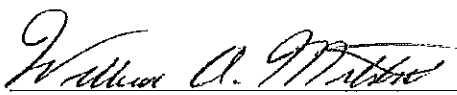
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code hereby recommends approval of ZT-1840 (Jeff and Mary Fillinger) in accordance with the attached "Staff Report and Recommendation".

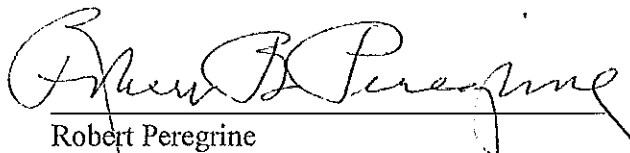
PARK AND PLANNING COMMISSION


September 15, 2016

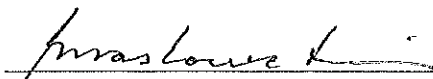

Richard Morris, Chairperson

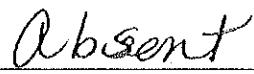

James Siepman, Vice Chairperson


William Mitchell, Secretary


Robert Peregrine


Gary Goodchild


William Maslowski


Keith Hammitt

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: September 15, 2016

FILE NO.: ZT-1840

TAX KEY NO.: LSBT 0219.992

APPLICANTS/OWNERS: Jeff and Mary Fillinger
W343 N6237 S. Bayview Road
Oconomowoc, WI 53066

LOCATION:

Part of the SW ¼ of Section 19, T8N, R19E, Town of Lisbon. More specifically, the property is located at W275 N6646 Lake Five Road and contains 5.3 acres.

EXISTING ZONING: B-2 Local Business District (Town)

PROPOSED ZONING: B-3 General Business District (Town)

EXISTING LAND USE: Vacant

PROPOSED LAND USE:

To expand the mini-warehouse use located adjacent to the north onto to the subject property.

PUBLIC HEARING DATE: March 3, 2016.

PUBLIC COMMENT: There were no comments from the public.

TOWN PLAN COMMISSION ACTION:

On March 3, 2016, the Plan Commission recommended unanimous approval of the request.

TOWN BOARD ACTION:

On July 25, 2016, the Town Board unanimously approved Ordinance 02-16 specific to the subject request.

COMPLIANCE WITH THE WAUKESHA COUNTY COMPREHENSIVE DEVELOPMENT PLAN AND TOWN OF LISBON COMPREHENSIVE DEVELOPMENT PLAN:

The Town of Lisbon and Waukesha County Comprehensive Development Plans designate the subject property as Commercial and Office Park, and the proposed rezoning is consistent with both plans.

STAFF ANALYSIS:

The subject property is bounded by C.T.H. "MD" to the southwest and Lake Five Road to the east, and C.T.H. "VV" is located further to the north of the subject property. The Village of Merton lies to the southwest of the subject parcel on the other side of C.T.H. "MD". The subject property is currently vacant and is proposed to have joint access with the existing storage property to the north which has shared access to C.T.H. "MD" with the lot owned by others adjacent to the northwest, and the subject property will also have shared access to Lake Five Road with the existing storage property to the north which will be from the northeast corner of the site.

The site is proposed to be fully developed with seven (7) self-service storage facilities (mini warehouse storage), thus the request to rezone to B-3 which permits the use by right.

A Stormwater Permit was issued in June 2016 for this project which expires on September 30, 2016. An extensive stormwater report was done due to the wet nature of the soils on the site. Since this rezone will not be finalized before the end of September, it is recommended the applicant request an extension for the Stormwater Permit. In addition, as part of the site planning process, the applicant should inquire with the County Department of Public Works about the use of the existing shared access point by the additional parcel to ensure it meets their requirements and also address the Town's concerns regarding safe emergency vehicle access. The Town is requiring sufficient landscaping and berming to screen the use from view as much as is practical given the site constraints.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The request is compatible with the zoning to the north and northwest of the subject property as well as the Town and County Comprehensive Development Plans. In addition, the proposed use will be in compliance with the Town's Zoning Ordinance.

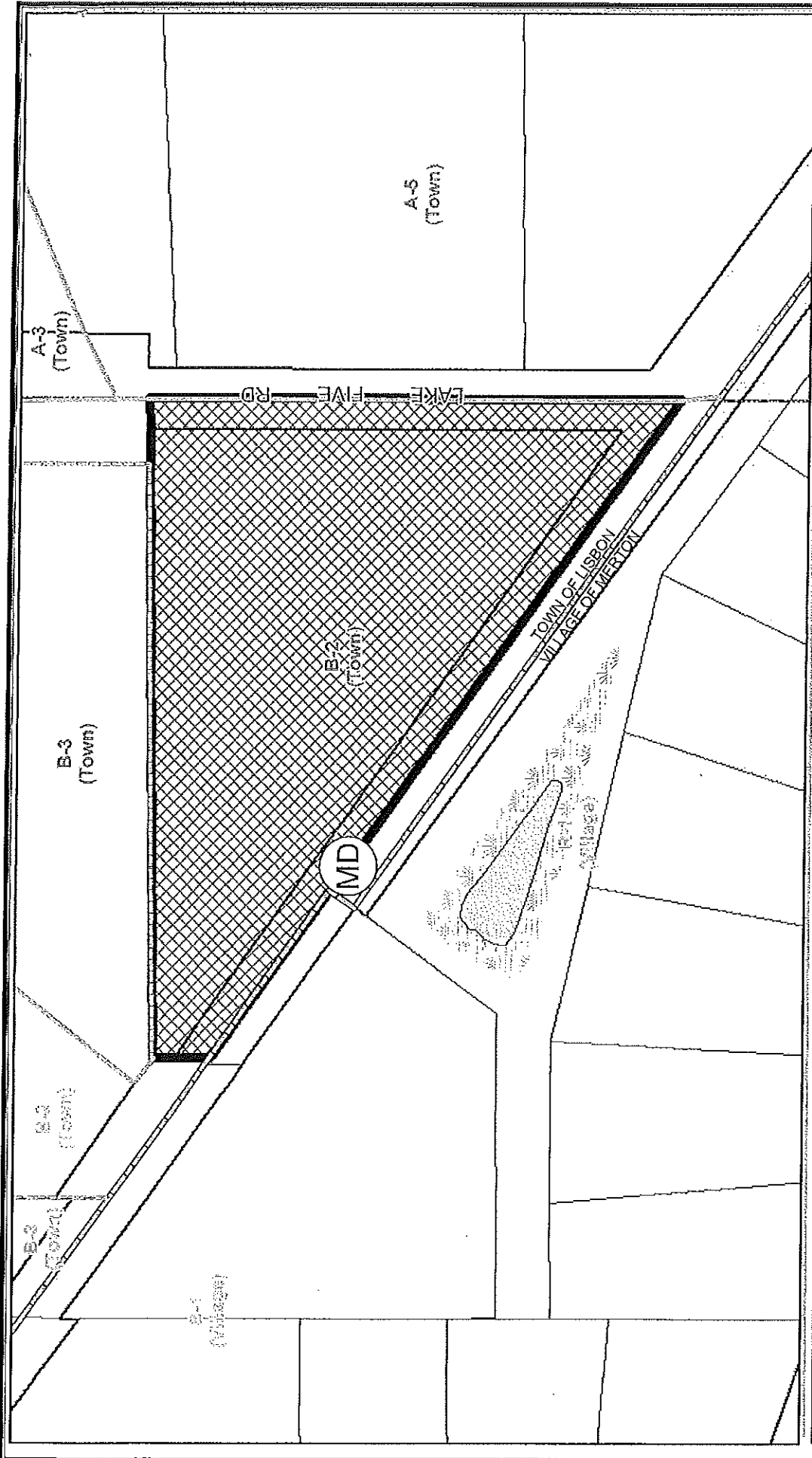
Respectfully submitted,

Sandra L. Scherer

Sandy Scherer
Senior Planner

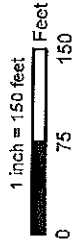
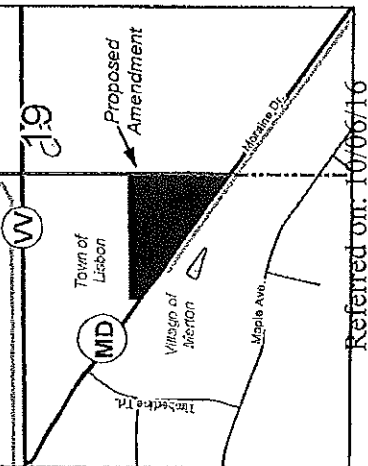
Attachments: Map
Ordinance

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ZONING AMENDMENT

PART OF THE SW 1/4 OF SECTION 19 TOWN OF LISBON



TOWN ZONING CHANGE FROM B-2 LOCAL BUSINESS DISTRICT TO B-3 GENERAL BUSINESS DISTRICT

FILE NO.ZT-1840
 PETITIONER.....JEFF FILLINGER
 DATE OF PLAN COMM. CONSIDERATION.....09/15/16
 AREA OF CHANGE.....5.25 ACRES
 TAX KEY NUMBER.....LSBT 0219.992

Prepared by the Waukesha County Department of Parks and Land Use
 File Number: 171-O-044 Referred to: LU

Referred on: 10/06/16



ORDINANCE 02-16

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY

ORDINANCE REZONING PROPERTY FROM THE B-2 LOCAL BUSINESS DISTRICT TO THE B-3 GENERAL BUSINESS DISTRICT ZONING CLASSIFICATION IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN

Whereas, Jeffrey Fillinger, petitioned the Town of Lisbon to rezone 5.3 acres of property from B-2 Local Business District to B-3 General Business District and

Whereas, the change in zoning is consistent with the Town of Lisbon Comprehensive Plan land-use element; and

Whereas, the Lisbon Plan Commission and Town Board held a joint Public Hearing on the zoning change March 3, 2016.

NOW, THEREFORE, The Town Board of the Town of Lisbon, Waukesha County, Wisconsin, does ordain as follows:

SECTION 1: The following described property is rezoned:

PT SW1/4 SEC 19 T8N R19E COM NE COR;
S1°18'W 600.00 FT THE BGN; S1°18'E 585.50
FT; N52°59'W 872.62 FT; N1°11'E 64.01 FT;
S89°47'E 638.74 FT; S88°42'E 70.00 FT TO
BGN DOC# 4054708. Tax Key No. LSBT 0219.992

SECTION 2: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

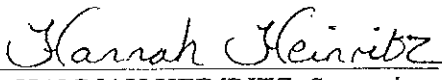
SECTION 3: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 25th Day of July, 2016.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman

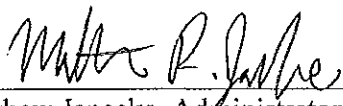
BY: 
RYAN LIPPERT, Supervisor

BY: 
HANNAH HEINRITZ, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: <Absent>
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: 
Matthew Janecke, Administrator/Clerk

D1 - Kolb	AYE	D14 - Wood	AYE
D2 - Zimmermann	(M) AYE	D15 - Mitchell	AYE
D3 - Morris	AYE	D16 - Crowley	AYE
D4 - Batzko	(2) AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	Notified	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Zaborowski	AYE
D9 - Heinrich	AYE	D22 - Wysocki	AYE
D10 - Swan	AYE	D23 - Hammitt	AYE
D11 - Howard	AYE	D24 - Whittow	AYE
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

171-O-044

Passed (24 Y - 0 N - 1 Absent)

Majority Vote

